

Written Testimony – Transportation & Infrastructure Committee Member Day
April 14, 2023
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As the Transportation & Infrastructure Committee prepares to reauthorize the Federal Aviation Administration (FAA), Congress has a historic chance to make the airline industry cleaner, safer, and more friendly to workers, while also providing historic support to communities. Congress must be focused on modernizing the airline industry in a safe and efficient way. This must include ensuring that airlines have proper protocols and resources to prevent overdose prevention on their aircraft, scaling off of leaded fuels at a much more rapid pace, to more rapidly protect workers and communities from exposure to per- and polyfluoroalkyl substances (PFAS), and consider equitable and broad protections for paid sick-leave.

Overdose Prevention on Aircrafts

In the United States, drug overdose deaths are the leading cause of injury-related deaths. In 2021 alone, over 107,000 people died from drug-involved overdoses—a number that has tragically more than doubled in the past 10 years. There were 1,289 deaths from opioids in Colorado alone, which accounted for 68 percent of all overdose deaths in the state. Today the vast majority of these deaths are caused by opioids, but we now have the power to dramatically reduce these numbers through the use and availability of Naloxone, an easily administered medication that reverses opioid overdoses.

I urge the Committee to include language in the FAA Authorization Act to require certain air carriers to carry naloxone on aircraft. The FAA has demonstrated support for this requirement since 2018 and I will introduce legislation to require airlines to carry life-saving overdose antidotes like naloxone onboard.

Stepping Down from Leaded Aircraft Fuel and Addressing Pollutants Equitably

One of the more pressing issues in my district is daily exposure to lead pollution through emissions from the continued use of leaded fuels on aircraft. This occurs throughout the district, from airports in Broomfield, to airports in Chaffee County, to airports in Jefferson County. We know that lead exposure has disastrous, enduring, and far-ranging health consequences, and treatment is long and painful. Prevention is our best option.

In February 2022, the FAA announced the Eliminate Aviation Gasoline Lead Emissions (EAGLE) initiative. This public-private partnership aims to transition to lead-free aviation fuels for all piston engine aircraft by 2030. While proposal is well intentioned, expediting the transition is critical. In Colorado, our kids continue to be exposed to leaded fuels through water, soil, and air. Leaded gasoline for on road vehicles was phased out in 1996 because of the known adverse health impacts and yet more than 17 years later, some aircraft continue to legally use it.

The Environmental Protection Agency (EPA) predicts that upwards of 20 percent of a person's total exposure to lead is through their drinking water. Lead exposure is pervasive and can be experienced through our pipes or pollutants from our aviation industry and we must invest in broad upgrades to our water infrastructure. Particularly for frontline communities and otherwise marginalized communities, we must boldly address pollution exposure.

Much of Colorado's 7th Congressional District experiences adverse aviation impacts from noise and emissions, and I urge the Committee to take a serious look at improving community relations and health outcomes for individuals who live in the vicinity of airports.

Continued exposure to lead and pollutants is needless and unacceptable, and we must swiftly transition away from these harmful pollutants to protect the health and welfare of our constituents that live near and around airports.

Exposure to “Forever Chemicals”

At airports throughout Colorado’s 7th Congressional and the country, we continue to see the use of aqueous film forming foam (AFFF), a fire suppressant used to extinguish flammable liquid fires such as fuel fires. In fact, the FAA requires that all commercial airports train with, calibrate equipment with, and use the best performing AFFF fire suppression systems. However, AFFF contains “forever chemicals,” or PFAS, which are also known to be human carcinogens. Congress has taken steps in recent years to limit and phase out PFAS due to the known health impacts, but more must be done. Essentially, these mandatory FAA requirements, while fighting fuel fires, also routinely expose airport workers to harmful chemicals every day on the job.

I urge the T&I Committee to consider the risks that aviation workers routinely face in their line of work, and I would welcome the opportunity to work alongside the Committee to boldly address PFAS exposure through the FAA just as Congress has continued to do through the National Defense Authorization Act (NDAA) in recent years.

Paid Medical and Sick Leave

Throughout the COVID-19 pandemic, our airport and aviation workforce were essential workers ensuring that the travel sector was able to continue to operate. Congress recognized the importance of the airline industry and aviation businesses by providing them a specific lifeline of \$46 billion in loans through the CARES Act. The seven largest passenger airlines were awarded loans totaling approximately \$20.8 billion.

However, many airlines still refuse to provide basic paid family and medical leave to their employees. In Colorado, this has been made clear by two airlines choosing not to comply with the state’s Healthy Families and Workplaces Act, legislation that I helped enact in the state. We need comprehensive reform to support airline and airport workers across the United States who serve passengers in multiple states and who remain the backbone of the aviation industry. Investing in our workforce and capitalizing on the efforts underscored throughout my testimony, demonstrates commonsense pathways for us to build resilient communities and a thriving workforce. The FAA Reauthorization is an ideal vehicle to include language providing for paid family leave for our aviation and airport workforce.

Uinta Basin Rail Project

The Uinta Basin Rail Project is a proposed freight rail line that would connect the Uinta Basin in Utah to the national rail network. The current proposal is a collaborative Public-Private Partnership effort developed between seven counties in Utah, the Rio Grande Pacific Corporation, and Drexel Hamilton Infrastructure Partners. In 2021, the Surface Transportation Board approved the railway’s construction. This rail line would route as many as five trains a day through Colorado and along the Colorado River – a lifeline for nearly 40 million people, including 30 Native American Tribes, across seven states that all states rely on the health and integrity of the Colorado River which is already facing record low reserves. The rail lines are expected to primarily transport crude oil from the Basin to markets across the country.

While significant outreach was done for stakeholders in Utah, a much less comprehensive process was undertaken in Colorado, and many significant stakeholders were not consulted as the project was developed. Many in Colorado feel that environmental concerns regarding the project have not yet been heard. We deserve an equitable voice in any conversations regarding resources, particularly in the aftermath of the East Palestine train derailment and subsequent environmental damage.

Support for Small, Rural and Underserved Communities

Additionally, a continued concern from small, rural, and underserved communities is being unable to access federal grants that they should be eligible. Congress must explore waiving matching requirements for rural and underserved communities while also creating programs to fund specific grant writers for communities that cannot afford them. I look forward to working with colleagues on both sides of the aisle to ensure that constituents are not deterred by high matching requirements for grants and that rural communities are equipped with the technical assistance necessary to successfully draw down federal grant dollars.

Federal Correctional Complex, Florence– No Fly Zone

The Federal Correctional Complex (FCC) Florence consists of four facilities, including the nation's only supermax facility. One of the most significant security threats associated with FCC Florence is the lack of a No Fly Zone over the prison grounds. It is one of the largest security threats facing the prison and, for the safety of prison personnel and the inmates, the Committee must explore a No Fly Zone over the prison complex.

Thank you for consideration of these requests and I look forward to working with the Transportation & Infrastructure Committee to improve our nation's aviation system.